

LVI

THE
KING'S MAJESTIES
Gracious Letter
TO HIS
PARLIAMENT
OF
SCOTLAND

Conveened at *Edinburgh*, the 28th day of *July*, 1681.

CHARLES R.

My Lords and Gentlemen,

OUR Inclination to embrace all opportunities to express Our constant care of, and Affection to, Our Ancient Kingdom, hath moved Us to call you together at this time, to Advise with Us, what may truly conduce to the Security and Interest thereof: And as We have ever judged Our own, and the Interests of Our Subjects, to be inseparable, and such as would divide them, to be in their hearts Enemies to both, (Experience having sufficiently evinced, that all Invasions upon, or Diminutions of the Rights and Prerogatives of Our Crown, prove Fatal and Destructive to the Security and Property of Our People, which can only thereby be Protected,) so are they then best managed and secured, when provided for by unanimous Councils, and Joynt Resolutions. And, as it is one of Our greatest satisfactions, that We have been alwaies careful of that Our Ancient Kingdom, with a tenderness suitable to Our great Interest in it: So when We remember the firm and dutiful constancy which it hath alwaies payed to the Royal Line and Family; And that now it is your Interest, as well as Duty, to adhere unto it with unshaken Loyalty as much as ever; We cannot doubt of your ready and zealous compliance at this time, with what shall be proposed as fit for Our Service, which can never be divided from the happiness of Our People.

And since some (corrupted with the Rebellious Principles of the last Age, or the blind Zeal of this) have at first raised Schisms and Separation in the Church, and afterwards frequent Rebellions against Us; We cannot but expect from your prudent Consultations, effectual and adequate Remedies, for curing these violent Distempers at present, and preventing them for the future: And that you will not despise or connive at the smallest appearances of these wicked and seditious Principles, which (how plausibly soever they may be disguised, under the old Pretences, and fallacious Masks of Liberty and Religion, which are ever least minded by the most clamorous Pretenders to them) yet in the Issue lead to such monstrous Effects, and Rebellious Extravagancies, as necessarily tend to the Dissolution of all Government and Order: And of which you cannot chuse but be deeply sensible.

This being once effectually done, We may reasonably hope, that Our Government in Church and State, as by Law presently established, shall receive its due Reverence and Obedience; And that all our good Subjects shall be preserved in Peace, Tranquility, and Happiness. For promoting these great Ends so necessary to the securing the Protestant Religion, Our Authority and Government, and the common Interest of Our People, by your Joynt Advice, who are so much concerned; And for enacting of such Laws, as experience hath discovered to be wanting for distribution of Justice in several Cases, which have emerged since Our last Parliament, We have called this: And as an eminent Expression of Our Favour to you, have named Our most Dear, and most entirely Beloved Brother, *James Duke of Albany and York, &c.* to be Our Commissioner therein, whom We have found so affectionate to you, and to whom you have testified so much Duty during His long stay amongst you; which have enabled Him so well to understand the Affairs and Interest of that Our Ancient Kingdom. And since His Interest is so inseparable from Ours, We shall not doubt of your ready and chearful Concurrence, to render His Endeavors amongst you Successful for securing Our Government, and your own Peace and Happiness. By doing whereof, you will answer the intire confidence We have in your Prudence and Loyalty. And so We bid you heartily Farewel.

*Given at Our Court at Windfox-Castle, the 12th day of July 1681. and of Our
Reign the 33d year.*

H I S
ROYAL HIGHNESS
THE
Duke of ALBANY, &c.
H I S M A J E S T I E S
High Commissioner,
H I S
S P E E C H
T O T H E
P A R L I A M E N T,

After the reading of His Majesties LETTER.

My Lords and Gentlemen,

AS I have had the honour to, serve His Majesty in other Capacities, so I esteem it an Honour and Happiness, that He hath been pleased to make choice of me to serve Him, as his Commissioner, in this His ancient Kingdom; since it shews to all the World, the Goodness he hath for me, as well as the Trust and Confidence He hath in me; and puts me not only in a Capacity of serving him as becomes a dutiful and loyal Subject, but also gives me the opportunity of letting you all see, the real Concern I have for the good of this Country, and my readiness to serve it, and promote its true Interests.

I do not doubt but that this will be a happy Meeting, and end to the satisfaction of His Majesty and all his loyal Subjects; which I say with the greater confidence, having now been so long amongst you, and found so great a readiness in all of you, for the advancing of His Majesties Service.

You have heard in His Majesties gracious Letter, the Reasons of his calling you together at this time, and what he doth, and may expect from this his ancient Kingdom; of whose Loyalty and Affection to his Service, he doth in no manner doubt.

He hath commanded me to assure you, that he will inviolably maintain and protect the Protestant Religion, as now established by Law in this His Kingdom; and that he will upon the first account protect and maintain the Government of the Church by Archbishops and Bishops, and will take their Persons and all other their Concerns, into his Royal Care and Protection: and doth seriously recommend to you to fall upon effectual Courses, for suppressing those seditious and rebellious Conventicles, from whence proceed all disorder and confusion, and these horrid and extravagant Doctrines, which are a scandal to Christianity, and tend to the subversion of all publick and private Interests.

I am also to declare to you in His Majesties name, That it is, and was always his intention, that Law should have its due Course, for the security of his Subjects Properties and Rights; and that he will always discountenance all courses contrary to, and inconsistent with, the Laws of this Kingdom; none being so much concerned for their due observance as himself.

And now he doth expect, you will not be short of the Loyalty of your Ancestors, in vigorously asserting and clearing his Royal Prerogative, and in declaring the Rights of his Crown in its natural and legal course of Descent, that you will take care to settle and provide such seasonable and necessary Supplies, as the Support and Interest of his Government call for and require.

And now I hope, that as the Council have already begun to do their parts, to promote the Trade of this Kingdom, that you will also do yours, that it may flourish.

My Lords and Gentlemen. As the inclination I had to serve and promote the Interest of this Kingdom, hath been the chief Inducement to His Majesty to give me this opportunity to convince you of it; So you may be sure, I shall do what becomes me to satisfy you of the truth of it; and I hope you will have that consideration and kindness for me, as to enable me to perform His Service.

London, Printed for John Smith, 1681.

ROYAL INCHMANS

DUKE OF ALBANY, &c.

THE MASTER
High Commissioner
OF THE
SPEECH

TO THE
PARLIAMENT

After the reading of His Majesty's LETTER

to the Lords and Gentlemen of this Honourable House

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A Fiction. In London A N Forrester Novbr 1646.
Act for securing of the Protestant Religion,

As it was past in the PARLIAMENT of Scotland, on Saturday August 13. 1681.



OUR Sovereign Lord considering how necessary it is for securing the Protestant Religion, and that all his good Subjects may be fully assured that the Popish Religion shall never be introduced or tolerated in this Kingdom; and that the many excellent Laws made in favours of his Protestant Subjects are of the Protestant Religion against Popery, may attain the affected execution: That none but true and sincere Protestants exercise any publick Trust within this Kingdom; and that no Jesuit, Priest, nor trafficking Papist, who may withdraw or withhold his Subjects from the Protestant Religion, be suffered to be or abide in this Kingdom. And seeing the Acts for Excluding Papists from publick Trust have no special Penalties adjoined thereto, and that there may be a clear Test to discover Papists: Therefore his Majesty, with Advice and Consent of his Estates of Parliament, statutes and declares, That whosoever being required by any Minister of the Church or Magistrate of the Kingdom, do not subscribe the Confession of Faith subjoyned to the third Act of the first Parliament of King James 6. shall be holden and reputed Papists; or who shall refuse to swear the Oath subjoyned to the said Confession, and signe the same in this form: I---or---we do declare and swear by the Eternal God, whom we call to be Judge and Witness of our Sincerity herein, That we assent to the said Confession of Faith according to the ordinary meaning of the word, without equivocation, mental reservation, and without accepting any dispensation, that we shall never endeavour or consent to any alteration of the foresaid Confession of Faith. And his Majesty, with consent and advice foresaid, statutes and ordains, That all who now are in any publick Trust, shall betwixt and the day of next to come, take the said Test in some of the places wherein they serve, and report the same to his Majesties Privy Council. And that all who shall hereafter at any time be admitted to any Place, Office, Commission, or Employment, Ecclesiastical, Civil, or Military, shall at their entry thereto take the said Test, and renew the same when required, under the pain of Confiscation of their Lands, which his Majesty now as then annexes to the Crown; and shall confiscat all sums of money heretable or movable, and all movable Goods, for the use under-written. Like as his Majesty with consent foresaid, ordains all the Ministers who are or shall be in this Church, to declare upon Oath to their Ordinary at each Diocesson meeting, whom they know or suspect within their several Parishes to be in Orders or Monastick Vows of the Church of Rome, or other trafficking Papists whom they know or suspect to be the ressetters or hearers of them say Halls or preach, and where their Residence or Haunts are; and whom they know or suspect to be Papists in their several Parishes: And that the Bishops call before them the persons so delated, and use their best endeavours to convince them of their Errour, and unite them to this Protestant Church, and offer to them the foresaid Test; and in case of their absence and obstinacy, that they proceed to Excommunication: And that they yearly send an Account of their diligence to his Majesties Privy Council, in the Month of November; and that they give a List of the persons delated to all the Judges ordinary in Burghs or Landwards within their respective Diocies; who are hereby ordained to take all other tryal for the discovery of those in Orders or Monastick Vows of the Church of Rome, and other trafficking Papists, or other Papists: And that they take the Oaths of all Members of the Kirk-session, except the Minister, within the several Jurisdictions, for making of the like Declaration once at least every year; and that they use all diligence to put the Laws in execution against the persons discovered or delated, as aforesaid: And that they return account of their diligence to his Majesties Privy Council once every year in the Month of November, beginning in November next, with Certification that whosoever shall fail in their respective diligences above-written, shall omit their years Benefice or Stipend, and the said Magistrates that years Rent, in which they shall happen to fail to diligences, as aforesaid. Like as his Majesty, with Consent foresaid, declares, That all Cheats, Liferents, and other Penalties that shall befall by the execution of this Statute, or any of the former Statutes against Papists, except the Lands to which they have redeemable right, shall belong and be divided in manner following; viz. One third part of the sums whereon Infesment have not followed, to the Lord of the Paroch where the party transgresses and resides, and the movable Goods to the Lord of the Paroches when they are found; and the sums whereupon Infesment or other affectable diligence lies followed, to the Lord of the Paroch where such Lands lie respective, except of the Life-rent of such Papists who are not amongst the Traffickers before innumerat, which may be gifted as his Majesty shall see fit: And another third part of the saids Confiscations, to belong to the Universities and Colledges, viz. All within the University of St. Andrews, to the University of St. Andrews; except the Diocies of Elr. to the Colledges of Elr. and the Diocies of Aberdeen and Morray, to the Colledges of Aberdeen; and all within the Province of Glasgow, to the Colledge of Glasgow: And the other third part of the foresaid Confiscationes, to belong to publick Works of the several Shires, to be applied and managed by the Judges Ordinary, as Justices of Peace, or Commissioners of Exchequer, when there are no Justices of the Peace: And ordains all persons who are intrusted for the said Societies Pensions and Ales, shall be diligent to make the same effectual. And further his Majesty, with Advice and Consent foresaid, statutes and ordains, and declares, That all Kings and Queens who shall succeed to the Imperial Crown of this Kingdom in time coming, at the entry to their Government, and also at their Coronation, shall promise and swear in presence of the Eternal God, whom they call as Judge and Witness of their sincere meaning and intention, To observe, without dispensation from any creature, the Oath contained in the eighth Act of the first Parliament of King James 6. And shall also swear, That they shall not endeavour or consent to the alteration or change of the Protestant Religion, nor to the abrogation or derogation of the Laws made for the same: That they preserve and defend this Protestant Church in the just Rights and Priviledges thereof, as now by Law established: That they shall give no Grant of any Trust, Office, or Employment within this Church or Kingdom, but whom they believe to be of the true Protestant Religion: And that they shall always allow & never hinder the standing and executing of the Laws for removing of Priests or others in Orders or Monastick Vows to the Church of Rome, out of any Office, Place, or Trust, or Employment Ecclesiastick, Civil, or Military, within this Kingdom; and shall invincibly preserve the Liberty and Property of the Subjects of this Kingdom, as the Lord and Father of Mercy shall be merciful to them: And ordains, That any Regent, Tutor, or Governour, that shall be named to any King or Queen in this Kingdom, shall take the foresaid Oath at their entry to their Government: which Oaths shall be written and subscribed at the times of taking thereof above-written, and shall be registred and recorded in the Books of Parliament, Privy Council, and Sessions. And likewise his Majesty, with Consent foresaid, statutes and ordains, That the nearest person to himself of the Royal Family, shall solemnly swear that he shall never endeavour or consent to the alteration of the Protestant Religion in this Kingdom, or to the abrogation of the Laws made for the same, and shall never hinder the standing and executing of the Laws made for removing out of this Kingdom all Priests and others in Orders and Monastick Vows of the Church of Rome, and other trafficking Papists who shall endeavour to withdraw the Subjects of this Kingdom from the Protestant Religion; or the Laws made for removing from all places of Trust in this Kingdom in Church, State, or Armies, any person whatsoever that shall not subscribe the Confession of Faith and Oath subjoyned thereto; which is hereby declared sufficient in place of any other Test for exercising and enjoying any Place or Office Civil or Military within this Kingdom. And that whensoever any other who shall hereafter become next to the King in the Blood-Royal for the time being Major, or attaining that age, he shall then immediately swear and subscribe the said Oath, which Oath shall be recorded in the Books of Parliament, Council, and Session.

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*The Copy of an ACT of PARLIAMENT
passed in Scotland the 29th of August
1681, for Security of the Protestant Re-
ligion against Papists and Phanaticks:
Together with the OATH taken by all
Persons in Publick Trusts.*

OUR Sovereign Lord, with his Estates of Parliament, con-
sidering that their duty, good and true, to His Majesty
by hisoyal Grandfather and Father, and Glorious Memory,
and by himself, in this and his other Parliaments, since his
happy Restauration, the Protestant Religion is carefully ac-
serted, established, and secured, against Popery and Rha-
tism; yet the restless Adversaries of our Religion do not cease to propa-
gate their Errors, and to seduce His Majesty's Subjects from their Duty to
God and Loyalty to his Viceroy, and to over-throw the Established Reli-
gion, by introducing their Superstitions and Delusions into this Church and
Kingdom, and knowing that nothing can more increase the numbers and
confidencies of Papists and Schismatical Dissenters from the Established
Church, than the supine neglect of putting in Execution the good Laws
provided against them, together with their hopes to insinuate themselves
into Offices and Places of Trust and Publick Employment: **THERE-
FORE** His Majesty, from his Princely and Pious Zeal to maintain and
preserve the True Protestant Religion contained in the Confession of Faith
recorded in the First Parliament of King **CHARLES** the Sixth, which
is founded on, and agreeable to, the Written Word of God, doth with
Advice and Consent of his Estates of Parliament, Require and Command
all

all his Officers, Judges, and Magistrates, to put the Laws made against Popery and Popish Priests, Jesuits, and all Persons of any other Order in the Popish Church; especially against Sayers and Hearers of Mass, Venters and Disposers of Forbidden Books, and Resettlers of Popish Priests and Excommunicate Papists, as also against all Phanatical Separatists from this National Church, against Preachers at House or Field Conventicles, and the Resettlers and Harbourers of Preachers who are Intercommuned, against Disorderly Baptisms and Marriages, and Irregular Ordinations, and all other Schismatical Disorders, to full and vigorous Execution, according to the Tenor of the respective Acts of Parliament there anent provided.

AND that His Majesties Princely Care to have these Laws put in Execution against these Enemies of the Protestant Religion, may the more clearly appear, he doth with Advice and Consent foresaid, **STATUTE and ORDAIN**, That the Minister of each Parish give up once in *October* yearly to their respective Ordinary, true and compleat Lists of all Papists and Schismatical With drawers from the Publick Worship in their respective Parishes; which Lists are to be subscribed by them: and that the Bishops give in a Double of the said Lists subscribed by them to the respective Sheriffs, Stewarts, Bailies of Royalty and Regality, and Magistrates of Burghs, to the effect the said Judges may proceed against them according to Law; as also the Sheriffs and other Magistrates foresaid, are hereby ordained to give an Account to His Majesties Privy Council in *December* yearly of their Proceedings against these Papists and Phanatical Separatists, as they will be answerable at their highest Peril; and that the diligence done by the Sheriffs, Bailies of Regalities, and other Magistrates foresaid, may be the better inquired into by the Council, the Bishops of the respective Diocesses are to send exact Doubles of the Lists of the Papists and Phanatics to the Clerks of the Privy Council; whereby the diligencies of the Sheriffs and other Judges foresaid, may be Comptrolled and Examined: And to cut off all hopes from Papists and Phanatics of their being employed in Offices and Places of Publick Trusts, it is hereby **STATUTE and ORDAINED**, That the following Oath shall be taken by all Persons in Offices and Places of Publick Trust, Civil, Ecclesiastical, and Military; especially by all Members of Parliament, and all Electors of Members of Parliament; all Privy Councillors, Lords of Session, Members of the Exchequer, Lords of Justiciary, and all other Members of these Courts, all Officers of the Crown, of State, all Arch-Bishops and Bishops, and all Preachers and Ministers of the Gospel whatsoever, all persons of this Kingdom named or to be named Commissioners for the Borders; all Members of the Commission for Church Affairs, all Sheriffs, Stewarts, Bailies of Regalities and Regalities, Justices of Peace, Officers of the Mint, Commissioners and their Deputies, their Clerks and Phisicks, all Advocates and Proctors before any of these Courts, all Writers to the Signet, all Publick Notaries, and other Persons Employed in Writing and Agencing. The Lyon King at Arms, Herald, Pursuivants, and Messengers at Arms, all Collectors, Sub-Collectors, and Farmers of His Majesties Customs and Excise. All Magistrates, Deans of Guilds, Councillors, and Clerks of Burghs, Royal Regality and Burgh, and Deacons of Trades, and Deacons Conventers in the said Burghs, all Masters and Doctors in Universities;

ties, Colledges, or Schools; all Chaplains in Families, Pedagogues to Children; and all Officers and Souldiers in Arms, Forts, or Militia; and all other persons in any Publick Trust or Office within this Kingdom, who shall publickly swear and subscribe the said Oath as follows: *Viz.*

The Arch Bishops, Chief Commanders of the Forces, and Officers of the Crown and State, and Councillors, before the Secret Council, all the Lords of Session, and all Members of the Colledge of Justice, and others depending upon them, before the Session. The Lords of Justiciary, and those depending on that Court, the Lords and other Members of Exchequer before the Exchequer. All Bishops before the Arch Bishops, all the Inferiour Clergy, Commissaries, Masters and Doctors of Universities and Schools, Chaplains and pedagogues, before the Bishops of the respective Diocesses: Sheriffs, Stewarts, Bailies of Royallity and Regallity, and those depending on these Jurisdictions, before these respective Courts.

All Provosts, Bailies and Ushers of the Burghs before the Town Council: All Collectors and Farmers of the Kings Customs and Excise, before the Exchequer; the Commissioners of the Borders before the Privy Council, all Justices of Peace before their Conventer, and the Officers of the Mint, before the General of the Mint, and the Officers of the Forces before the Commander in Chief, and Common Souldiers before their Respective Officers, the Lyon before the Privy Council, and Heralds Periuivants and Messengers at Arms before the Lyon: And His Majesty with Consent foresaid **STATUTES** and **ORDAINS**, That all those who presently possess or enjoy any of the foresaid Offices, Publick Trusts, or Employments, shall take and subscribe the following Oath in one of the foresaid Offices in manner before prescribed, betwixt and the First of January next; which is to be recorded in the Register of the respective Courts and Extracts thereof, under the Clerks hand, to be reported to His Majesties Privy Council, betwixt and the First of March next 1682, and thereafter in any other Courts, whereof they are Judges or Members, the first time they shall sit or exercise in any of these respective Courts. And **ORDAINS**, That all who shall hereafter be promoted to, or employed in any of the foresaid Offices, Trusts, or Employments, shall at their Entry into, and before their Exercising thereof, take and subscribe the said Oath in manner foresaid, to be recorded in the Registers of the respective Courts, and reported to His Majesties Privy Council, within the space of after their taking the same: And if any shall presume to exercise any of the said Offices or Employments, or any Publick Office or Trust within this Kingdom (the Kings lawful Brothens and Sons only excepted) until they take the Oath foresaid and subscribe it, to be recorded in the Registers of the respective Courts, they shall be declared incapable of all Publick Trusts thereafter; and be further punished with the loss of their Moveables, the one half whereof to be given to the Informer, and the other half to belong to His Majesty. And His Majesty, with advice foresaid, Recommends to his Privy Council, to see this Act put to due and vigorous Execution.

I A. B. Solemnly Swear in Presence of the Eternal God, whom I Invoocate as Judge and Witness of my Sincere Intentions in this my Oath,

That I Allow and Sincerely Profess the True Protestant Religion contained in the Confession of Faith Recorded in the First Parliament of King James the Sixth; And that I believe the same to be founded on and agreeable unto the Written Word of God; And I Promise and Swear, That I shall adhere thereto all the days of my Life-time; And shall endeavor to Educate my Children therein; And shall never consent to any Alteration contrary thereto; And that I Disallow and Renounce all such Principles, Doctrines or Practices, whether Popish or Fanatical, which are contrary unto, and inconsistent with the said Protestant Religion, and Confession of Faith.

And for Testification of my Obedience to my most Gracious Sovereign CHARLES the Second, I do Affirm and Swear by this my Solemn Oath, That the Kings Majesty is the Only Supreme Governor of this Realm, over all Persons, and in all Causes, as well Ecclesiastical as Civil; And that no Foreign Prince, Person, Pope, Prelate, State or Potentate, hath, or ought to have any Jurisdiction, Power, Superiority, Preeminence or Authority, Ecclesiastical or Civil, within this Realm; And therefore I do utterly Renounce and Forsake all Foreign Jurisdiction, Powers, Superiorities and Authorities.

And do promise that from henceforth, I shall bear Faith and true Allegiance to the Kings Majesty, His Heirs and Lawful Successors; And so my Power shall Assist and Defend all Rights, Jurisdictions, Prerogatives and Privileges, Preeminences and Authorities belonging to the Kings Majesty, His Heirs and Lawful Successors.

And I further Affirm and Swear by this my Solemn Oath, That I judge it Unlawful for Subjects, upon Pretence of Reformation, or any other Pretence whatsoever, to enter into Conventions, or Leagues, or to Communicate, Consens, or Assemble in any Councils, Conventions, or Assemblies, to Treat, Consult, or Determine in any manner of State, Civil or Ecclesiastical, without His Majesty's Special Command, or Express Licence had therein; or to take up Arms against the King, or Abuse Commissioned by Him; And that I shall never assist in Arms, or enter into such Conventions or Assemblies.

And that there lies no Obligation on me from the National Covenant, or the Solemn League or Covenant, in so commonly called, or in any other manner of oath whatsoever, to endeavor any change or Alteration in the Government either in Church or State, as it is now Established by the Laws of this Kingdom; And I Promise and Swear, That I shall with my utmost Power Defend, Assist, and Maintain His Majesty's Jurisdiction, Prerogative, and Authority, as aforesaid; And I shall never decline His Majesty's Jurisdiction, as I shall answer to God.

And finally, I Affirm and Swear, That this my Solemn Oath is given in the plain genuine Sense and Meaning of the Words, without any Reservation, Mental Reservation, or any manner of Exemption whatsoever; And that I shall accept or use any Dissimulation from any Crime therefore.

So help me, God.

A. B.

London, Printed for Randal Taylor. 1681.